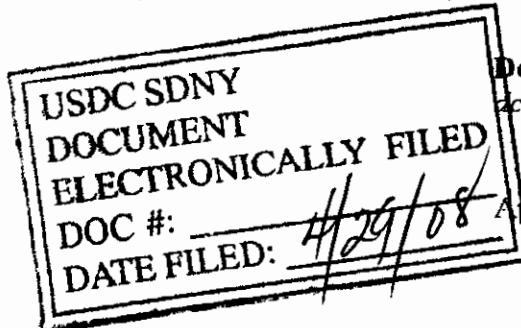


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April 28, 2008

By Facsimile 212-805-7491

Hon. Loretta A. Preska  
United States District Judge  
United States Courthouse  
500 Pearl Street, Room 1320  
New York, NY 10007

Re: Harvey and Wilhelm v. 320 Owners Corp. and Lowery  
Docket No. 07 CV 6763 (LAP)

Dear Justice Preska:

I am pleased to report that the parties have reached settlement terms and are in the process of drafting and exchanging a settlement agreement.

An appearance is scheduled before Your Honor on May 2, 2008. Upon consultation with your Law Clerk, and with my adversary attorney Stephen Somerstein's consent, the parties propose an adjournment to Monday June 2, 2008 at 2:00pm.

We hope to be able to contact Chambers before then to report that the action has been settled.

SO ORDERED

*Loretta A. Preska*  
LORETTA A. PRESKA  
UNITED STATES DISTRICT JUDGE

*April 29, 2008*

cc: By Facsimile (734) 448-2757  
Stephen A. Somerstein, Esq.  
53 Prospect Park West  
Brooklyn, New York 11215

Sincerely yours,

*Denise M. Campbell*  
Denise M. Campbell  
(DC-3217)